

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Korell Battle, #292294)	C/A No. 8:10-925-CMC-BHH
<i>aka Korell Robert Floyd Battle,</i>)	
)	
Plaintiff,)	
)	
vs.)	Order
)	
South Carolina Department of Corrections; Robert)	
Ward; Willie Eagelton; Sharron Patterson; Anthony)	
Ridges; John Doe,)	
)	
Defendants.)	

This is a civil action originally filed by a plaintiff proceeding *pro se* in state court. The matter has now been removed to this court by the defendants. Under Local Rule 73.02(B)(2), pretrial proceedings in this action have been automatically referred to the assigned United States Magistrate Judge.

TO THE PLAINTIFF:

Any future filings in this case must be sent to the address below. All subsequent pleadings filed in this case shall be signed with a handwritten signature using plaintiff's full legal name. You shall **NOT** use the "s/typed name" format used in the Electronic Case Filing (ECF) system. You are directed to use only letter-sized paper, to write or type text on one side of a sheet of paper only and not to write or type on both sides of any sheet of paper.¹ You are further instructed not to write to the edge of the paper, but to maintain one inch margins on the top, bottom and sides of each paper submitted. You will strictly comply with requirements for "short and plain" statements of claims and defenses in all pleadings under Rule 8 Federal Rules of Civil Procedure (Fed. R. Civ. P.) as well as the requirements for "concise summary," "concise statement" and "brevity" set forth in Local Civil Rule 7.05 of the United States District Court for the District of South Carolina.

Your attention is directed to the following important **NOTICE** on the next page:

¹ Pursuant to Section 205 of the E-Government Act of 2002, Pub. L. 107-347, December 17, 2002, 111 Stat. 2899, this Court has implemented Electronic Case Filing (ECF). For this purpose, *pro se* filings are scanned to create electronic docket records. Therefore, the use of only one side of a sheet of letter-sized paper is required.

You are ordered to always keep the Clerk of Court advised **in writing** (**Post Office Box 10768, Greenville, South Carolina 29603**) if your address changes for any reason, so as to assure that orders or other matters that specify deadlines for you to meet will be received by you. If as a result of your failure to comply with this order, you fail to file something you are required to file within a deadline set by a District Judge or a Magistrate Judge, your case may be dismissed for violating this order. Therefore, if you have a change of address before this case is ended, you must comply with this order by immediately advising the Clerk of Court in writing of such change of address. Your failure to do so will not be excused by the court. Put this order with your own record of this case so that you will not overlook your duty. If an attorney serves you by mail on behalf of a defendant or a respondent, you also have a duty to notify that attorney if your address is to be changed for mail purposes.

TO THE DEFENDANTS:

The defendant(s) and their attorney(s) are, hereby, notified that all dispositive motions from the defendant(s) must be filed no later than forty-five (45) days after the answer on behalf of that particular defendant has been filed. Hence, with respect to the filing of dispositive motions by the defendant(s), this Order is also a scheduling order. *Forstmann v. Culp*, 114 F.R.D. 83 (M.D.N.C. 1987).

You are reminded that, by removing this matter to federal court, you have waived your right to assert 11th amendment immunity as a defense. See *Lapides v. Board of Regents of the University System of Georgia, et. al.*, 535 U.S. 613 (2002). See also *Johnson v. Ozmint*, 456 F. Supp. 2d 688, 697 (D.S.C. 2006) (federal court has supplemental jurisdiction over S.C. Tort Claims Act claims in a removed case).

IT IS SO ORDERED.

s/Bruce H. Hendricks
United States Magistrate Judge

Greenville, South Carolina
April 23, 2010

The plaintiff's attention is directed to the important notice on the next page.

**IMPORTANT INFORMATIONPLEASE READ CAREFULLY
WARNING TO PRO SE LITIGANTS**

All Documents That You File with the Court Will Be Available to the Public on the Internet Through Pacer (Public Access to Court Electronic Records) and the Court's Electronic Case Filing System. YOU ARE RESPONSIBLE FOR PROTECTING YOUR IDENTITY FROM POSSIBLE THEFT. YOU MUST REMOVE CERTAIN PERSONAL IDENTIFYING INFORMATION FROM ALL DOCUMENTS **BEFORE** YOU SUBMIT THE DOCUMENTS TO THE COURT FOR FILING. IT IS NOT THE COURT'S RESPONSIBILITY TO REMOVE PERSONAL IDENTIFYING INFORMATION FROM YOUR DOCUMENTS BEFORE THEY ARE ELECTRONICALLY DOCKETED.

Under the Privacy Policy of the Judicial Conference of the United States, *a litigant, whether represented by counsel or appearing pro se, must not put certain types of the litigant's (or any other person's) personal identifying information in documents submitted for filing to any United States District Court.* This rule applies to **ALL** documents submitted for filing, including pleadings, exhibits to pleadings, discovery responses, and any other document submitted by any party for filing. If the litigant finds it necessary to submit a document containing personal identifying information, the litigant must "black out" or redact the personal identifying information prior to submitting the document to the Office of the Clerk of Court for filing.

1. Types of personal information that **MUST** be removed or redacted from documents before filing:

(a) Social Security numbers. If an individual's social security number must be included in a pleading, only the last four digits of that number shall be used.

(b) Names of Minor Children. If the involvement of a minor child must be mentioned, only the initials of that child shall be used.

(c) Dates of Birth. If an individual's date of birth must be included in a pleading, only the year shall be used.

(d) Financial Account Numbers. If financial account numbers are relevant, only the last four digits of these numbers shall be used.

(e) Juror Information. If a document containing identifying information about a juror or potential juror must be filed (e.g., verdict form or indictment), all personal information identifying a juror or potential juror must be redacted.

2. Other sensitive personal information of the litigant (or any other person) that should be considered for possible removal or redaction:

Any personal identifying number, including a driver's license number; medical records; employment history; individual financial information; proprietary or trade secret information; information regarding an individual's cooperation with the government; information regarding the victim of any criminal activity; national security information; and/or sensitive security information described in 49 U.S.C. § 114(s).